



WEDNESDAY EVENING, JUNE 1, 1910

AS was stated in the Gazette, the Supreme Court yesterday affirmed the judgment of the Kentucky Court of Appeals in the "Jim Crow" case of J. Alexander Obiles against the Chesapeake and Ohio Railway Company. Obiles, who is a negro, bought a first-class ticket over the Chesapeake and Ohio entitling him to ride from Washington to Lexington, Ky. The train did not run through to Lexington, and when he reached Ashland, the first city on the Kentucky side of the line, he went into the white car. A police officer was summoned and Obiles was removed under protest to a good car set apart exclusively for negroes. Obiles brought suit in the Fayette, Ky., county court for \$10,000 damages. The validity of the law providing for the separation of races on railway trains was upheld. The Court of Appeals of Kentucky affirmed the judgment of the lower court, when Obiles went to the tribunal of the last resort—the Supreme Court of the United States. The latter court yesterday maintained the decisions of the state courts. The deductions exhaust the subject and are calculated to cast a chill on such negroes as may in the future desire to bring such cases before the Supreme Court. This tribunal at the outset, dismissed as unimportant the distinction between state and interstate commerce. "We are dealing in this case," said the court, "with the act of a private person, whose opinion was written by Justice McKeen, 'with the act of a private person, to wit, the railroad company, and it is demonstrated that the interstate commerce clause of the constitution does not constrain the action of carriers, but on the contrary, leaves them to adopt rules and regulations for the government of their business, free from any interference except by Congress. Such rules and regulations, of course, must be reasonable, but whether they be such cannot depend upon a passenger being state or interstate.' The decision quotes the ruling of the court in another case to the effect that 'to require interstate passengers of one race in any part of their journey to share their cabin accommodations with passengers of another race was a question of interstate commerce to be determined by Congress alone. We have seen in that case,' says Justice McKeen, 'that the inaction of Congress was equivalent to the declaration that a carrier could by regulations separate colored and white interstate passengers.'

BRITISH government officials and members of the English cabinet are today convinced that Mr. Theodore Roosevelt's speech yesterday at Guild Hall, in which he retorted England's administration of affairs in Egypt, will greatly increase the difficulty of dealing with the delicate political situation that confronts England in Egypt. Owing to the semi-fictitious character of Roosevelt's visit, by reason of his appointment by President Taft to represent the United States at the funeral of the late King Edward, English officialdom will make no comment for publication regarding the speech. But nothing has been plainer than the leading politicians fear that Roosevelt's bold utterances will act as a fuse that will set touch off an upheaval in Anglo-Egyptian relations. The London papers refer to Roosevelt's utterances as "most unfortunate," a "humiliating retort of alien irritant," "bitter medicine, brusque, blunt, admonitory," "outraged every conventional canon of international propriety," "don't teach your grand mother to suck eggs," "greatest modern sentimentalist," "audacious and foolish," "even Socrates was poisoned for giving too much advice."

MR. CABELL, U. S. commissioner of revenue, recently told a congressional investigating committee that the amount of moonshining and bootlegging in dry territory has increased enormously. "In Georgia," he said, "two years ago there were 294 illicit distilleries seized and destroyed and last year there were 623. In North Carolina the proportion is just about the same and in Oklahoma there were practically three times as many arrests and reports of violations since the state has gone dry as there were for the corresponding period while the state was a licensed territory." This is proof positive that prohibition does not prohibit. The manufacture and sale of liquor can be controlled but not prohibited.

THERE is strong probability that corporal punishment in a restricted form will be permitted in the public schools by a rule of the Baltimore school board. This question was brought to the attention of the board some time ago and a resolution authorizing that form of punishment was being sleeping in the committee room and will probably be adopted. Corporal punishment, when properly administered is a factor for good in a school room.

It seems probable that there were smokers in England long before the introduction of tobacco, according to 'The

London Chronicle.' Pipes have been discovered imbedded in the mortar of churches built before Europe's first acquaintance with tobacco, and it seems only reasonable to suppose that the people of that day smoked herbs of some sort, either medicinally or for pleasure. Coltsfoot was inhaled for asthma, though whether a pipe was used in the process remains a matter for conjecture.

BECAUSE his wife kept 32 cats and insisted that they be fed from saucers on the dining room table, Dr. Albert Pierce of Worcester, Mass., became pained. He threw cups, saucers, plates and other utensils at the cats. His wife called him a "brute" and went home to her mother. Then she sued for divorce, alleging cruel treatment. Dr. Pierce admitted bombarding the cats, but pleaded justification. He offered to provide for his wife if she would limit her attentions to one cat, but she refused and the case will go to trial.

THIS is "blue June," but more like gray November.

### From Washington.

Official announcement of the appointment of Assistant Secretary of the Treasury Charles D. Norton to be secretary to President Taft is expected at the White House today. Norton was a guest at the White House for luncheon today, and his appointment was discussed. Official Washington is discussing with avidity today, the reports that "somebody" or a number of "somebodies" in the capital made a killing in Wall Street yesterday on advance information as to the application of the government for restraining orders against the western railroads made in Hannibal, Mo. The point that interests Washington particularly is "who leaked?" Throughout the day rumors had been afloat that the action would be started, but it was late in the afternoon before anything definite could be learned, and even then Attorney General Wickersham refused to verify reports that the action had been ordered. Wickersham, after a long talk with President Taft, at the White House at 10 o'clock in the morning, said that he would be unable to make any announcement before "tomorrow morning" clearly intimating that no decision had been reached in the case. He maintained that attitude throughout the day. The White House was equally reticent. Despite these facts it is certain that Mr. Wickersham and the president reached a conclusion to act at their morning conference, as Mr. Wickersham did not again visit the White House during the day. Even though every source of information refused to disclose anything concerning the attitude of the government until after 1 o'clock, Wall Street was flooded with selling orders from Washington from the time the Exchange opened. "Somebody knew," and there are several persons who would like to know who that somebody was.

The U. S. Supreme Court has denied the petition for the rehearing of the case of Capt. Oberlin M. Carter, convicted of defrauding the government.

The House insurgents will go to New York in a body to meet Mr. Roosevelt if plans now being formulated by Representative Cary, of Wisconsin, don't carry. Mr. Cary has suggested the scheme to several of his associates and they have readily agreed to it. He believes that unless the House itself appoints a committee to greet the former president, the insurgents should show their appreciation of Mr. Roosevelt's being at the dock when he arrives. Mr. Cary is quite confident that the course of the insurgents will be approved by Mr. Roosevelt, and he intends to go himself whether or not any of his colleagues join him.

Assurances were given today by Commissioner of Internal Revenue Cabell that corporations who pay their tax under existing law will have no difficulty in recovering their money in case the Supreme Court should, upon the rearrangement of the matter next October, decide that the corporation tax law was unconstitutional. Complete lists of every payment made are upon file in the office, not only of the collectors of internal revenue of the several districts but in the office of the commissioner of internal revenue in the Treasury Department. Should the Supreme Court decide the tax unconstitutional there will be no red tape about the return of the money paid in. Under the law internal revenue taxes collected illegally may be returned on the simple presentation of a properly certified claim. Until the Supreme Court says otherwise the Treasury Department will continue to collect the tax. Already nearly three quarters of a million have been paid in. The corporations have until June 30 in which to make their payments and it is expected that, in order to save interest, most of the payments will be deferred until the last day.

President Taft today accepted an invitation to attend the celebration of the 50th anniversary of the founding of Jersey City to be held October 12. Rep. Kinkade and Hughes called at the White House to tender the invitation.

The mints of country devoted most of their energies during the last month to the coining of gold eagles of which there were 1,221,092 coined, nickels of which 5,850,800 were coined and one cent pieces of 9,280,000 were turned out. Of twenty dollar gold pieces 73 made, of half dollars 280 of quarter dollars and of dimes the same number. A report recommending the confirmation of the appointment of Fred A. Carpenter, former secretary to President Taft, as minister to Morocco was adopted by the Senate committee on foreign relations today. The Senate will confirm Carpenter's nomination at an executive session to be held after the regular session today.

### No Advance in Rates

St. Louis, Mo., June 1.—There was no advance in freight rates today by the 25 railroad of the central west. Following the action of Federal Judge Dyer at Hannibal late yesterday in granting a temporary injunction restraining the railroads from enforcing, or making a general advance to interstate rates, U. S. District Attorney Hunt and Special Attorney Edmund P. Grosvener from the attorney general's office filed here today an expediting certificate, under the act of February 11, 1903, providing for a speed determination of the law in connection. The defendant railroads did not put in an appearance today to ask for a dismissal of the restraining order but have the privilege of filing such a motion at any time.

### The Railroad Injunction Suit.

Washington, June 1.—The story of how the injunction suit was brought by the government against the 25 railroads composing the Western Truck Association in time to prevent the proposed increased rates from going into effect today was told this morning by Attorney General Wickersham. It appears that the government did not wait until the 11th hour to take action as did the committee of shippers from Omaha but jumped into the breach at the first intimation which reached the department that there was complaint of the suggested rate increase.

"The first intimation that I received upon the subject," said Attorney General Wickersham today, "was a single telegram last Thursday evening just before I was leaving the department. I paid but little attention to it because it was unsupported. But on Friday I received a number of telegrams and Congressman E. H. Hubbard, of Sioux City, Iowa, called upon me and gave me my first comprehensive view of the situation. I at once perceived that the proposed action of the railroads was subversive of the interests of the public and I immediately took steps to bring an injunction suit. I engaged Mr. Judson, of St. Louis, as special counsel by wire. He is well qualified as an expert in interstate commerce law and has written books upon the subject. I spent Friday evening and Saturday and a part of Sunday in preparing a bill of particulars setting for the injunction and in proving from the I. O. O. affidavits to show that the proposed tariffs had been filed and that each of the railroads had designated Mr. Hosmer as their agent to file them with the commission. With these documents in hand I found that the government had a good foundation upon which to base the suit. Therefore I dispatched Assistant Attorney General Grosvener on the midnight train on Sunday to St. Louis with instructions to bring the suit immediately. When I received the delegation from the Omaha convention on Monday I could not tell them of the action which I had already taken. Nor could I indicate at what point I expected to institute the suit. I was afraid that some representatives of one of the railroads involved would approach the judge and argue with him to the effect that this was a novel proceeding and that a hearing should be held before the injunction was granted. Secrecy was absolutely essential in my opinion for the success of my campaign. That the news leaked out as early as it did yesterday was due to the fact that Mr. Grosvener and Mr. Judson filed the suit in St. Louis about noon and then withdrew it on finding that the judge was in Hannibal holding court."

Efforts will be made by the government to expedite as quickly as possible the hearing before Judge Dyer to make permanent the injunction granted by him yesterday to prevent the increased rates of the twenty-five railroads involved from going into effect. It is expected that the hearing will be held before the end of this week. The attorney general said today that he had chosen a court in the eighth judicial circuit in which to bring the suit because in that circuit the Sherman anti-trust law has received its fullest interpretation in the Standard Oil and other cases.

### The Illinois Senatorship

Washington, June 1.—As crooked legislators multiply in Illinois the gloom that overhangs William Lorimer's seat in the Senate today grows darker. Sentiment is spreading among senators that if things in Illinois are as they seem, even after making all reasonable discounts, it would be well for that state to try its hand again at a senatorial election. Deliberate in all things the Senate is especially conservative in taking action calculated to disturb the dignity of one of its august members. Chairman Keen (Rep. N. J.) one of the committee on contingent expenses, to which Lorimer's resolution demanding an investigation was referred, informed some of his friends yesterday that he was ready to report. He did not report, however.

Keen is the man senators go to when they want to spend from the contingent fund for Senate purposes and he occasionally chooses to let ambitious extraneous referrals to his committee ripen before he returns them to the Senate. There is no doubt, however, that he will report in favor of the expenditures of whatever money will be necessary to cover the cost of a Lorimer investigation. When that has been done the resolution will go to Senator Burrows's committee on privileges and elections. That committee will first deliberate and report to the Senate whether there is good reason for an investigation. If the Senate decides there is such reason the Burrows's committee or one expressly appointed for the purpose will proceed with the inquiry. It is contended by a number of Senators that the resolution should have gone first to Burrows's and then to Keen's committee. Besides the expected hot weather and the campaigns demanding attention a reason put forward today for postponing the investigation is that the Senate would not desire to conduct an inquiry in competition with the courts. The same witnesses would appear at both places and if the Senate examines witnesses in advance of their appearance in court it might embarrass the state in the prosecution of the alleged bribes givers and takers. A decision is expected soon.

Contention was ripe in the Senate today during consideration of the La Follette amendment requiring the valuation of the property of railroads, but the end of the three months' contest over Taft-Ellis bill is near at hand. The most important battles have been fought with victories on both sides but with a general result gratifying to the progressives. The expectation of the senators is that the amendments to follow the La Follette offering will not occasion long debate. In the debate on the physical valuation amendment Senator Ekins battled almost single handed with the progressives and democrats. He is familiar with the history of railroad legislation and the decision of the U. S. Supreme Court in railroad cases. With this knowledge he was able to make a strong stand. As the House railroad bill contains a physical valuation provision the adoption of a similar provision by the Senate would prevent the conference committee from striking that feature from the bill. There would then be in railroad law a power which the I. O. O. has sought for many years and that has been successfully fought by the railroads. Messrs. La Follette and Bailey among those who contend that the reasons for giving the commission authority to make the val-

uation are simple and conclusive. They say that a fair rate can only be based on the value of the railroad property and the only way to get the information is by asking a valuation. Railroad officials have expressed the fear that disclosure of the value of their property might result in an increase in their taxes. This led Mr. Bailey to ask whether the railroads underestimated the value of their property to the tax gatherer and overestimated it to the shipper when he calls to deal with them. Mr. La Follette said that in Wisconsin an appraisal of railroad property resulted in reduction of rates that has saved the state many millions of dollars. He declared that the cost of appraising all the railroads would be about \$2,500,000, would take three years and would save the people hundreds of millions of dollars every year.

The Lorimer investigation resolution was referred by the Senate to the committee on privileges and elections today. Members of the committee said that no action would be taken by the committee unless formal charges were filed against Lorimer. Nothing will be done at present. The committee will not investigate more newspaper charges. Whenever complaints are made in an official way or by some specific organization or by a number of reputable persons, the matter will be formally taken up. It is understood that within a few days definite charges will be laid before the committee.

### LOST TWELVE THOUSAND DOLLARS.

John Hartman, living in New York, was arrested yesterday charged with larceny of \$12,000 from Frederick Louster, a real estate man, of Harrisonburg, Pa. Louster says that the scheme by which he was swindled out of his money was nothing more than a variation of the well-known wire-tapping game, but from his very knowledge of swindling of this sort he was fooled into venturing first \$10,000 and later \$2,000 on a "good thing" at one of the racetracks, which, as usual, "went wrong," although he had been told that the "inside information" could not fail. The gang that victimized Louster evidently thought the story he tells, they went to Harrisonburg to him with a well connected story, which led him first to Baltimore to meet a secretary of land company with whom he was to consider buying land in Florida, and later to New York.

While waiting with Hartman, the prisoner, in Baltimore for the secretary who failed to appear, three men who knew Hartman passed him and Louster. They stopped to talk, and during the conversation mentioned casually that they intended to wager money amounting to \$10,000 on different horses. They wanted a stakeholder. Hartman suggested Louster, but another man objected for lack of security. Hartman then suggested that Louster return to Harrisonburg for security, which he did, returning with \$10,000 only to find the men gone, and Hartman, who waited, told him they had returned to New York, but expected them to follow.

Once inside the house in New York, to which Louster was taken, he was inveigled into making bets, lost his \$10,000, which, however, did not deter him from returning to Harrisonburg for an additional \$2,000, which went in the same way.

### Sixty-first Congress.

SENATE  
An unusually large number of senators were present when the Senate convened at 11 o'clock today and no opportunity was afforded for demanding a quorum. There was a general feeling of helpfulness that a final vote on the Railroad bill might be reached today. Senator Stone, resumed his speech in support of the La Follette amendment, the pending question, providing for the physical valuation of all railroad property. He also announced that he would re-offer the Doolittle amendment to control the issuance of stocks and bonds, with some slight modifications of his own. He discussed the matter of stock watering and over capitalization at length. He pronounced the plan constitutional.

The La Follette amendment providing for the physical valuation of all railroad property was rejected by a vote of 25 yeas 30 nays.

The amendment was lost by a party vote. Seven senators were absent and not paired on the La Follette physical valuation amendment. All of these favored the amendment and their votes would have secured its adoption.

A physical valuation amendment offered by Senator Simmons was briefly explained by the author. He said the determination of actual value was essential in fixing fair and reasonable rates. The amendment was rejected 25 yeas 30 nays. The vote was virtually the same as on the La Follette amendment.

Sensor Piles made an effort to have the Senate pass a bill prohibiting the exportation of seelyed salmon except when frozen or in cans.

Opposition was made by Senator Heyburn who said the measure was unconstitutional as the prohibition in effect was the imposition of an export tax.

The bill went over under objection. An amendment offered by Senator Burton, was adopted 53 yeas, 1 yeas. It provided that the interstate commerce shall have authority to fix a minimum rate for all railroads competing with water routes.

An amendment, offered by Senator Simmons, providing that when a lower rate is proposed where there are rail and water routes, it shall not be permitted to go into effect if the lower rate would destroy water competition, was adopted.

The Doolittle amendment to regulate the capitalization of railroads, with two slight modifications, was offered by Senator Stone, and further explained by him. The most important change was that the government should not control stocks and bonds issues when supervision was exercised by the state.

Sensor Curtis today asked to be relieved from further service on the special Senate committee detailed to investigate the administration of the "third degree" to prisoners by police author (Sen. Senator Brandegee (Rep. Conn.) was appointed a member and chairman in place of Mr. Curtis.

In announcing the request made Vice President Sherman said:

### Virginia News.

J. Frank Kennedy, of Clarke county, died Monday near White Post, aged 63 years. During the civil war he served under Col. John S. Mosby and was with that command in many of its daring exploits. He leaves a widow, formerly Miss Nanette Littlepage, of lower Virginia; one son and one daughter. He was a son of the late William O. Kennedy.

Miss Grace Radcliffe Day, daughter of Col. and Mrs. Charles Fenton Day, and Mr. Henry Gould Ralston, of Miami, Fla., will be married in Christ Church, Smithfield, at 8:30 o'clock tonight. Rev. Robert S. Carter, of Orange, assisted by the Rev. Francis E. Lee, rector of the church, officiating. The bride is a sister of Mrs. Thomas S. Martin, wife of the senator.

The body of Frank Howl, of Nelson county, who died suddenly at Lovingson, Sunday morning, was examined Monday and an examination by physicians showed the presence of strychnine, and the stomach has been sent to Richmond for analysis by a chemist. A warrant has been issued for John Moore, a young man who lived near Howl, but who is said to have left the neighborhood Sunday.

After an invalidism of five years ex-Senator Beverly Bland Munford, died at his home on the Hermitage road, near Richmond, yesterday. His work as a statesman, first as a representative from Danville, Pittsylvania county and later as senator from Richmond, and his efforts in the literary field, which attracted wide attention, will be fondly remembered. Mr. Munford married Miss Mary Cooke Branch, daughter of the late James R. Branch, who was killed at Mayo's Island by the collapse of a river wall. By this union two children were born, Miss Mary Stafford and B. B. Munford, Jr.

### CHURCH CENSUS.

The aggregate number of communicants or members of all religious denominations in continental United States for 1906 was 32,936,445, according to the United States census of religious bodies, a part of the Census Bureau's special report now in press. Of this grand total the various Protestant bodies reported 20,287,742 and the Roman Catholic Church, 12,679,142. Of the Protestant communicants, according to the report, 50.6 per cent. were outside the principal cities of the country. Of the Catholic, 27.9 per cent. were in the cities of the first class, those having a population of more than 300,000, while 47.8 per cent. were outside the cities of the first, second, third or fourth classes, the last class being cities of 25,000 to 50,000. Protestant in the first class cities aggregated 7.3 per cent. Of the Protestants the Protestant Episcopal Church reported a majority of its communicants in the principal cities, 51.2 per cent. as did the church of Christ (Scientist), 82.6 per cent. The report shows a growth of all communicants, both in the cities and country, since 1890. In the five leading cities the proportion of communicants to population was: New York, 44.7 per cent.; Chicago, 40.7; Philadelphia, 38.8; Boston, 62.6; St. Louis, 46.6.

### News of the Day.

The U. S. Supreme Court yesterday finished up its business for the term and adjourned until October next.

The report of the conference on the river and harbor bill was presented in Congress yesterday and was approved. A final agreement to carry appropriations aggregating \$51,947,718, a net reduction of \$705,500 from the amount of the bill as it passed the Senate.

The veto by Governor Draper of the bill making eight hours a day's labor for public employes was sustained in the Massachusetts House yesterday. The vote was 51 to 73 in favor of passing the bill over the veto, which was not the necessary two-thirds.

Robert E. Batty, son of one of the wealthiest and most prominent men in Shippensburg, Cumberland county, Pa., was arrested yesterday on the charge of setting fire to the stables of Rev. David W. Allison at that place. The crime is attributed to jealousy. Batty was released on \$1,000 bail.

James A. Patton suffered another big loss yesterday when the price of cotton in the New York market dropped \$1.50 a bale. The shorts were able to deliver all the spot cotton sold for delivery this month and thus escaped being squeezed by Patton and his associates on the full side of the market. Instead of making a rush to cover, the bears, led by Morgan & Company, forced prices down in a sensational manner.

President Taft announced yesterday that during his administration he will not lend his approval to legislation designed to give government aid to specific railroad interests in Alaska. Instead, he favors a general law which will apply to all who comply with its provisions, a law modeled after the policy which for years has been in effect in the Philippine islands.

America's greatest battleship, the "Dreadnought" Delaware is using oil for fuel exclusively. This fact has not been generally known, despite the fact that the big fighting machine had been in commission since April 1 and has been lying at the navy yard at Norfolk ever since. Oil was given for fuel when the big ship was given her trial trip and it worked successfully in every particular.

Showing, it is said, a reversion of sentiment since the last legislature, which enacted the state-wide prohibition and other summary laws, only eleven men out of the 105 composing the Alabama legislature will be returned to office. This fact is developed in the first official compilation of names of the new members.

Action to prevent the proposed increase of rates by the western railroads was taken by the administrative yesterday. Instructions were sent from the Department of Justice to the U. S. district attorney at St. Louis, to apply at once for an injunction restraining the roads from putting the new rates into effect, on the ground that they are the result of a combination in violation of the anti-trust act. Judge Dyer issued an injunction at Hannibal, Mo.

Instructing Sale Girls.  
Berlin, June 1.—A school for the instruction of sales girls in the treatment of customers was started in Berlin today. The school is financed by the Association of Retail shops, the city has shown interest in the matter by granting the use of one of the city halls for the school rooms. Later classes will be started for men clerks.

Rev. S. T. Willis, for the past twenty-one years pastor of the Union Avenue Church of the South in New York city, has accepted a call to occupy the Bible chair in the Virginia Christian College in Lynchburg.

### CONGRESSIONAL.

On the eve of leaving for his home in Iowa for the purpose of participating in the campaign in that state, Senator Cummings yesterday informed the Senate that as amended the railroad bill would receive his vote as it would also the votes of the progressive republican senators who have stood with him in opposition to the bill as it was prepared by the attorney general and introduced by Senator Ekins in behalf of the administration. The statement was made in the shape of a brief speech delivered by himself in support of an amendment placing upon railroad companies the burden of proof in hearings on rate increases. This amendment was accepted by Senator Ekins and became a part of the bill by general consent, thus constituting the only amendment which has been accepted by the Senate.

As stated in the Gazette the Brown amendment to prohibit the consolidation of competitive railroad lines was defeated by a vote of 41 to 20.

The La Follette amendment for the physical valuation of railroad properties was discussed throughout the day without a conclusion being reached.

The session in the House was devoted to a discussion of appropriations to make effective the recent law creating a bureau of mines and mining. The sum of \$488,000 was appropriated.

The House adopted a resolution (H. R. 10,000) calling for various items of information concerning the sale of the fair lands in the Philippines.

MR. STUART EXPLAINS.  
Henry Carter Stuart, democratic nominee for Congress from the Ninth district, arrived in Richmond yesterday after a two-months' trip to France.

In referring to the unpleasant incident occurring in connection with the entry of Mrs. Stuart's baggage through the Custom House New York, Mr. Stuart said:

"The incident really did not deserve the prominence given it by the press, and resulted from a change of ruling, which was unknown either at the American Embassy in Paris, the offices of the express company in that city or to the purser of the steamer."

Mr. Stuart goes to Poland where he will meet the Ninth district democratic committee tomorrow. He says that his campaign has been ably and excellently managed during his absence and expresses confidence in his election over C. Bascom Slamp, the republican nominee.

### VAGARIES OF THE WEATHER.

With the mercury registering 2 degrees below the freezing point on the north shore of Lake Superior Monday, the temperature at Yuma, Ariz., was 120 degrees Fahrenheit in the shade according to the government record. Telegraphic reports yesterday told a continuance of a hot wave in the west and no sign appeared of warm weather for the east.

Snow fell at Oakland, Md., yesterday with the temperature near the freezing point.

Yesterday was the coldest May 31 in the annals of Pittsburgh, Pa., office of the United States Weather Bureau. A temperature of 39 degrees was recorded at 10 o'clock. Snow fell between 4 and 5 o'clock yesterday morning.

The torrid weather that prevailed in San Francisco and vicinity Monday caused fur prostrations and one death.

### REPORT ON CHURCH UNION.

The general assembly of the United Presbyterian Church at its session in Philadelphia yesterday, by a vote of 183 to 80, adopted the recommendation of its committee on bills and overtures that a permanent committee on church relations be appointed to consider all matters of closer relations with all evangelical denominations, inclusive of proposed union with such denominations as may seek or desire union on satisfactory terms. The new committee will consist of nine members, three to serve one year, three two years and three three years, three members to be appointed each year.

### POPULATION EARLY

100,000,000.  
The Census Bureau has begun the work of enumerating the population from the individual census cards, and the complete census of some cities may be announced within a fortnight. Director Durand estimates that the population of the United States is in the neighborhood of 100,000,000. The population of the country in other census years was: 1850, 31,443,000; 1870, 38,558,000; 1880, 50,155,000; 1890, 62,622,000; 1900, 76,303,000. Thus the population has nearly doubled in the last thirty years.

### Death from Strychnine Poisoning

Richmond, Va., June 1.—Following an official examination of the stomach of Frank Howell, a young married man of Roland, Va., who was taken ill and died within an hour Sunday, May 22, Coroner Taylor, of Richmond, declared this morning that the deceased died as a result of strychnine poisoning. The second examination of the dead man's stomach. The first was made Tuesday, after the body had been exhumed at the request of neighbors of the dead man. Three physicians of Lovingson declare that the stomach contained enough strychnine to have killed five men.

A warrant has been issued for the arrest of John Moore, a neighbor of Howell, charging the former with murder, but the authorities are in the dark as to the man's whereabouts.

The Derby Stakes.  
London, June 1.—The annual running of the derby stakes today was won by A. Fairlie's Lemberg, ridden by Dillio, Viscount Villiers's Greenback, Temperance, second, and A. P. Conliffe's Charles O'Malley, J. Howard, third.

It was officially announced that Lemberg's time 2:35 1/5 for the distance, a little more than a mile and a half, was a record for the race.

The Jeffries Johnson Fight.  
San Francisco, June 1.—That the Jeffries Johnson fight will take place in this city is now an insured fact. With only two dissenting votes the permit for the 45-round battle on July 4, was granted by the board of supervisors.

### CARD OF THANKS.

I take this method of returning my sincere thanks to the members of the fire department, the railroad men and others who assisted in saving my property from destruction by the fire on July 4, was granted by the board of supervisors.

T. J. FANNON.

### CORPORATION TAX CASES.

As stated in the Gazette of that day the U. S. Supreme Court yesterday afternoon restored to the docket for rear, unmet the corporation tax cases.

This means that the cases cannot come up before the middle of October, and possibly later.

It postpones the decision in these important cases for at least seven months, and possibly longer.

In the meantime the Treasury Department will find itself in an uncomfortable situation owing to the delay. They will be in the attitude of collecting a tax under a law whose constitutionality is apparently seriously doubted by part of the Supreme Court.

The Treasury has collected about \$600,000 under this new law already, but this amount has been kept segregated up to this time, in the hope that the Supreme Court would hand down its decision. The tax is not due until today. The department intends to go ahead and make collections, enforcing the penalties where the tax is not paid. The tax, it is estimated, will yield about \$25,000,000.

The government will be obliged to pay this amount back if the law is finally held to be unconstitutional.

Thompson and Apple, real estate brokers, have sold for Miss Annie E. Henderson two building lots on the north side of Duke street between Alfred and Patrick streets to James N. Nally.

### BET ON A "TIP."

Twelve thousand dollars was dropped to swindlers in New York on a variation of the old wire tapping game by Frederick Louster, a real estate dealer of Harrisonburg, Pa., according to his story to the police yesterday. Louster caused the arrest of John Hartman who, he says, is one of the band.

Louster says Hartman met him in Harrisonburg, and induced him to go to Baltimore, to engage in a real estate deal. There he met "capitalists," who were also interested in real estate, and subsequently went to New York with a certified check for \$10,000.

This he lost but got on a sure winner. He "fronked" had a sure tip on another race, however, and Louster hurried home and got \$2,000 more which he also lost. Then he appealed to the police and pointed out Hartman on the street yesterday. Hartman denies ever seeing the Harrisonburg man, but he was locked up.

### COURT OF APPEALS.

The Court of Appeals opened its summer session at Wytheville, yesterday, with President Keith and Judges Buchanan, Harrison and Whitely sitting. There are thirty-eight cases on the docket, a smaller number than in last year.

The day's proceedings were: Ashworth et al. vs. Brown et al., argued and submitted; Shiffner vs. Sutherland et al., argued and submitted; Newberry Shoe Company vs. Collier et al., submitted on briefs; Stonega Coke and Coal Company vs. Neece, argued and continued until today.

The next cases to be called are Old Dominion S. S. Company vs. Flannery; Virginia Iron Coal and Coke Company vs. Bond; Olmstead Coal Company vs. Viers; Phoenix Insurance Company vs. Sherman.

### HELD UNDER RIVER.

Thousands of commuters were held in stalled trains under the Hudson river in the rush hour yesterday morning, when an airlock became unmanageable on a train 1,000 feet from the Hudson Terminal of the McAdoo tube and could not be moved for 15 minutes. When the train finally was moved into the terminal a score of others were blocked behind it in a long string, reaching back as far as the Erie station on the New Jersey side, producing great confusion. It was one of the worst tie-ups